



City of YUMA

**CITY OF YUMA
REGULAR CITY COUNCIL MEETING AGENDA SUMMARY
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
WEDNESDAY, AUGUST 18, 2010
5:30 P.M.**

CALL TO ORDER 5:30 P.M.

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

FINAL CALL for submission of Speaker Request Forms

PRESENTATIONS

- Introduction of New Police Staff by Police Chief Geier.

I. CALL TO THE PUBLIC

**NO LEGAL
ACTION
PERMITTED**

Members of the public may address the City Council on matters that are not listed on the City Council agenda. The City Council cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All City Council meetings are recorded and videotaped.

II. MOTION CONSENT AGENDA

All items listed on the Motion Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. In which event, the item will be removed from the Motion Consent Agenda and the vote or action will be taken separately.

A. Approval of minutes of the following City Council meeting(s):

APPROVED 1. Regular City Council Meeting May 5, 2010

APPROVED 2. Special City Council Worksession May 25, 2010

B. Approval of Staff Recommendations:

Page Item

1. Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (City Attorney)

APPROVED 2. **Bid Award: Joe Henry Restroom Replacement and Parking Lot Improvements**

Award to the lowest responsive/responsible bidder for Joe Henry Restroom Replacement and Parking Lot Improvements at a total cost of \$610,757.26 to:

Lococo Pilkington Construction, Yuma, Arizona. (City Engineering Department - Bid #2010000386) (Paul Brooberg)

APPROVED 3. **Cooperative Purchase Agreement: Chevy Tahoe Police Vehicles**

Authorize Staff to purchase vehicles for use by the Police Department utilizing a cooperative purchase agreement originated by the State of Arizona at a total cost of \$73,281.86, utilizing City funds, and funds from a Selective Traffic Enforcement Program grant and a DUI Enforcement Program grant, with the following firm:

Midway Chevrolet, Phoenix, Arizona. (Police Department, Fleet Services - #2011000040) (Jerry Geier)

WITHDRAWN 4. Infrastructure & Services Report: Annexation Area A2010-05 Castle View North

Approve an Infrastructure and Services Report for Annexation Area No. A2010-05, identified as the Castle View North Annexation, located at the northwest corner of Avenue 9E and 24th Street (Community Development/Community Planning) (Laurie Lineberry)

APPROVED 5. Intergovernmental Agreement: - Arizona Department of Corrections

Authorize execution of the contract with the Arizona Department of Corrections (ADOC) for inmate labor for the Public Works and Parks & Recreation Departments.
(Public Works/Parks & Recreation - Bid #2011000099) (Joel Olea/Becky Chavez)

APPROVED 6. Intergovernmental Agreement: Governor's Office of Economic Recovery

Authorize the City Administrator to enter into an agreement with the Governor's Office of Economic Recovery and the Yuma Police Department for reimbursement of funds expended for overtime and equipment in support of the Border Security Enhancement Program. (Police/Patrol) (Jerry Geier)

FAILED 7. Yuma Metropolitan Planning Organization

Authorize the City Administrator to negotiate an agreement with the Yuma Metropolitan Planning Organization to assist with the continuation of YCAT. The agreement would provide the first quarter funding (3 months) in the amount of \$54,376.93. (City Administration) (Gregory K. Wilkinson)

SUGGESTED MOTION: To approve the MOTION CONSENT AGENDA as recommended:

M/_____ S/_____ VV/_____

III. RESOLUTION CONSENT AGENDA

All items listed on the Resolution Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which

event, the item will be removed from the Resolution Consent Agenda and the vote or action will be taken separately.

ADOPTED A. Resolution R2010-44 Development Fee Deferral: Cielo Verde Development Limited Partnership

Approve a Development Agreement with Cielo Verde Development Limited Partnership permitting deferral of Citywide Development Fees and water and sanitary sewer capacity fees for Cielo Verde Unit 2 Subdivision. (City Engineering/ Administration) (Paul Brooberg)

WITHDRAWN B. Resolution R2010-45 Declaration of Public Record: Yuma West Wetlands

Declare as public record documents for: granting of powerline easement to the Yuma County Water Users' Association; abandonment of portions of 9th Avenue, 11th Avenue and 12th Avenue rights-of-way for use as rights-of-way; and establishing a restrictive covenant on 11.16 acres of land within the Yuma West Wetlands. Further, ordering three copies to remain on file with the City Clerk, as provided for in the Arizona Revised State Statutes. (City Administration/Yuma Crossing National Heritage Area) (Charles Flynn)

SUGGESTED MOTION: To adopt the RESOLUTION CONSENT AGENDA as recommended:

M/_____ S/_____ RV/_____

IV. ADOPTION OF ORDINANCES CONSENT AGENDA

All items listed on the Ordinances Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Ordinance Consent Agenda and the vote or action will be taken separately.

ADOPTED A. Ordinance O2010-37 Graffiti: Accessibility to implements and penalties for violations

Amend the Yuma City Code, Title 11, Chapter 112, Subsections 112-17 and 112-99 regarding requirements for the placement of signs relating to the accessibility of graffiti implements, and to increase the penalties for related violations. (Police/Patrol) (Jerry Geier)

ADOPTED B. Ordinance O2010-38 Rezoning of Property: Located at 1462 W. 8th Place, also known as 810 S. 14th Avenue

Rezone property from the Low Density Residential (R-1-6) District to the General Commercial (B-2) District. The applicants are Adolfo and Irma Enriquez Garcia. (Z2010-003) (Community Development/Community Planning) (Laurie Lineberry)

ADOPTED C. Ordinance O2010-40 Rezoning of Property: Located at 780-792 S. 2nd Avenue

Rezone from the High Density Residential / Historic District Overlay (R-3/H) & General Commercial / Historic District Overlay (B-2/H) to the Medium Density Residential / Historic District Overlay (R-2/H) District. The applicant is Chris Hengl, on behalf of Markal Investments, LLC. (Z2010-004) (Community Development/Community Planning) (Laurie Lineberry)

SUGGESTED MOTION: To adopt the ORDINANCES CONSENT AGENDA as recommended:

M/_____ S/_____ RV/_____

V. INTRODUCTION OF ORDINANCES

The following ordinance(s) is presented to the City Council for introduction. No vote or action by the City Council is necessary. However, the City Council may, at its option, vote or take action where appropriate. Ordinances given introduction are generally presented to the City Council for adoption at the next Regular City Council meeting.

INTRODUCED A. Ordinance O2010-41 Right-of-Way Acquisition: Avenue 7E

Authorize the acquisition of right-of-way for Avenue 7E, between 24th Street and 16th Street. (City Engineering/Administration) (Paul Brooberg)

INTRODUCED B. Ordinance O2010-42 Scrivener's Error Corrections: Ordinance No. O2008-16

Authorize the correction of scrivener's errors for sanitary sewer easement descriptions in Ordinance No. O2008-16. (City Engineering/Administration) (Paul Brooberg)

WITHDRAWN C. Ordinance O2010-44 Annexation Area No. A2010-05: Castle View North

Authorize annexation of property generally located at the northwest corner of Avenue 9E and 24th Street. (Community Development/Community Planning) (Laurie Lineberry)

INTRODUCED D. Ordinance O2010-45 Zoning Code Text Amendment: Create Low Density Residential District (R-1-5)

Amend the City of Yuma Zoning Code, Title 15, Chapter 154, Sections: 04.01 A and 05.05, to create the Low Density Single Family Residential District (R-1-5). (Z2010-007) (Community Development/Community Planning) (Laurie Lineberry)

INTRODUCED E. Ordinance O2010-46 Zoning Code Text Amendment: Create Medium Density Residential District (R-2-5)

Amend the City of Yuma Zoning Code, Title 15, Chapter 154, Sections: 07.02 and 04.01(A) to create the Medium Density Single Family Residential (R-2-5) District. (Z2010-008) (Community Development/Community Planning) (Laurie Lineberry)

INTRODUCED F. Ordinance O2010-47 Amendment: Noise Control

Amend Yuma City Code Title 13, Chapter 133, titled "Noise Control" to reflect standards based on measurement of decibel levels of electronically amplified sound. (City Attorney)

VI. PUBLIC HEARINGS & RELATED ACTIONS

There are no public hearings scheduled at this time.

VII. ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. Announcements:

REPORTED

- City Council report on meetings/events attended – City Council report on issues discussed in meetings/events attended by a City Council representative in their official capacity as the City's representative during the period of August 4, 2010 through August 18, 2010. City Council questions regarding the update must be limited solely for clarification purposes. If further discussion is warranted, the issue will be added to a future agenda for a detailed briefing.
 - City Council report of upcoming meetings.
 - City Council request for agenda items to be placed on future agendas.
2. Scheduling: Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

MOTION TO SUSPEND FUTURE SPECIAL WORKSESSIONS

VIII. SUMMARY OF CURRENT EVENTS

REPORTED

This is the City Administrator's opportunity to give notice to the City Council of current events impacting the City. Comments are intended to be informational only and no discussion, deliberation or decision will occur on this item.

IX. EXECUTIVE SESSION

**EXECUTIVE
SESSION
NOT HELD**

An Executive Session may be held during this meeting to discuss pending Legal/Personnel/Real Estate matters. An Agenda will be posted 24 hours in advance.

ADJOURNMENT 7:34 P.M.

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Department, One City Plaza, PO Box 13012, Yuma, Arizona 85366-3012; (928) 373-5125 or TTY (928) 373-5149.